

10/517422

DT05 Rec'd PCT/PTO 0 8 DEC 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85108

Tomohiro TSUJI, et al.

Appln. No.: Based on PCT/JP2003/007910

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: December 08, 2004

Examiner: Unknown

For: METHOD OF CLASSIFYING AND COUNTING LEUKOCYTES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: Based on PCT/JP2003/007910


In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a translation of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP03/07910) indicating the degree of relevance found by the foreign patent office.

Further in compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations: English language abstracts, submitted herewith, constitute concise statements of relevance for Japanese Unexamined Patent Publication Nos. 2002-148261, 10-206423, 6-273413, and 5-99919. Additionally, Japanese Unexamined Patent Publication Nos. 10-206423 and 6-273413 are cited and discussed on pages 2 and 10, respectively, in the specification of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,


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WASHINGTON OFFICE

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Date: December 8, 2004

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MODIFIED PTO/SB/08 A & B (06-03)

Substitute for Form 1449 A & B/PTO

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Completed Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

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Application Number	Based on PCT/JP2003/007910
Confirmation Number	Unknown
Filing Date	December 08, 2004
First Named Inventor	Tomohiro TSUJI
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	Q85108

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
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		US			
		US			
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		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		JP	2002-148261	A	05-22-2002	SYSMEX CORP	Abstract
		JP	10-206423	A	08-07-1998	TOA MEDICAL ELECTRONICS CO LTD	Abstract
		JP	6-273413	A	09-30-1994	TOA MEDICAL ELECTRONICS CO LTD	Abstract
		JP	5-99919	A	04-23-1993	HITACHI LTD HITACHI INSTR ENG CO LTD	Abstract
		JP	7-503792	A	04-20-1995	ABBOTT LABORATORIES	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.